IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1897 OF 2005

IN

FIRST APPEAL NO. 838 OF 2005

Office Notes, Office Memoranda of : coram, appearances, Court's Orders: or directions and Registrar Orders:	Court's or Judge's orders

Ms. Poonam Mittal for the Applicant.

Mr.M.B. Kotak for Respondents Nos.1 to 5.

Respondent No.6 is served.

CORAM : H.L. GOKHALE &
MRS. R.S. DALVI, JJ.

DATE : 13TH SEPTEMBER 2005

P.C. :

1. Heard Ms.Mittal in support of the Civil Application. Mr.Kotak appears for Respondents Nos.1 to 5. Respondent No.6 is served.

2. Ms.Mittal informs that the Applicant has deposited an amount of Rs.17,13,568/- in the Motor Accident Tribunal in Mumbai. The Tribunal has

allowed an amount of Rs.1,50,000/- to be paid to each of the parents of the deceased. The Tribunal has also directed that an amount of Rs.1,50,000/- is to be invested in the name of the widow of the deceased. It has further directed that Rs.2,50,000/- are to be invested in the name of the widow and the two minor children. These deposits will be effected as it is. Out of the remaining amount, considering the totality of the factors, we are of the opinion that an amount of Rs.5,00,000/- be released to Respondent No.1, widow of the deceased. The remaining amount can be withdrawn by her by giving a bank gruarantee of a nationalised bank, which she may furnish within 8 weeks, failing which the Motor Accident Tribunal will invest the remaining amount in a nationalised bank for a period of 37 months and continue to renew the deposit by 13 months at a time until further orders are passed by the court. The interest on the deposit will be made over to Respondent No.1 every 3 months.

3. Civil Application stands disposed of with the above order.

4. All parties to act on an authenticated copy of this order.

(H.L. GOKHALE, J.)

(MRS. R.S. DALVI, J.)